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Attorneys for TIMBERWORK, INC.

(erroneously sued as "TIMBERWORK OREGON, INC."),

JOAN L. SHUELL and EARL BLONDHEIM

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MATSUNOKI GROUP, INC. dba HAIKU
HOUSES,

Plaintiff,

v.

TIMBERWORK OREGON, INC.;
TIMBERWORK, INC.; JOAN L. SHUELL;
EARL MAURY BLONDHEIM; DON
PAUL; ILENE ENGLISH-PAUL; and
DOES 1 through 10, inclusive,

Defendants.

CASE NO. CV 08 4078 CW

The Honorable Claudia Wilken, Judge

**STIPULATION TO CONTINUE
MEDIATION DATE AND EXTEND
MEDIATION DEADLINE;
MEDIATOR'S CONCURRENCE;
ORDER**

Action Filed: 8/25/08

Plaintiff MATSUNOKI GROUP, INC. dba HAIKU HOUSES (hereinafter
"Plaintiff") and Defendants TIMBERWORK OREGON, INC., TIMBERWORK, INC.,
(erroneously sued as "TIMBERWORK OREGON, INC."), JOAN L. SHUELL, EARL
MAURY BLONDHEIM, DON PAUL, and ILENE ENGLISH-PAUL (collectively,
"Defendants") (Plaintiff and Defendants are referred to, collectively, hereinafter as
"the Parties"), by and through their respective counsel agree and stipulate as follows:

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RECITALS

1
2 1. Whereas Plaintiff previously produced voluminous documents and has
3 recently produced several hundred additional pages of documents responsive to
4 Defendants' Request for Production of Documents;

5 2. Whereas Defendants are still collecting documents for production in
6 response to Plaintiff's Request for Production of Documents;

7 3. Whereas the Parties are negotiating in good faith with respect to a
8 stipulated protective order so as to protect trade secrets and other propriety information
9 belonging to each and the Parties anticipate that upon execution and entry of said
10 protective order the Parties will produce additional documents;

11 4. Whereas the Parties' respective counsel must review all documents prior
12 to mediation to optimize the prospects for settlement at mediation;

13 5. Whereas various persons with decision-making authority have advised that
14 they wish to participate in the mediation of this litigation but are not available for
15 mediation as presently scheduled, and their participation will optimize the prospects for
16 settlement at mediation;

17 6. Whereas the Parties have in good faith engaged in discovery, including
18 depositions, thus far so as to explore only the issue of the propriety of the Court's
19 exercising personal jurisdiction over certain individual Defendants, and believe additional
20 depositions are necessary so as to fully evaluate the issues presented in this case and to
21 optimize the prospects for settlement at mediation;

22 7. Whereas there is pending a motion to dismiss certain Defendants;

23 8. Whereas the Court ordered that the Parties complete mediation by
24 March 13, 2009, or as soon thereafter as is convenient to the mediator's schedule;

25 9. Whereas the Court appointed Mark LeHocky to act as mediator; and

26 10. Whereas the Parties and Mr. LeHocky initially scheduled mediation to
27 take place on March 25, 2009;

28 THEREFORE, the Parties hereby stipulate as follows:

STIPULATION

Based on the foregoing recitals,

1. That the mediation presently scheduled for March 25, 2009, be continued;
- and
2. That the Court extend the deadline for Plaintiff and Defendants to engage in mediation to May 29, 2009, or as soon thereafter as the schedules of the Parties, their respective counsel, and Mr. LeHocky, will allow.

IT IS SO STIPULATED.

Dated: March __, 2009

GORDON & REES LLP

By_____/s/_____
 Richard P. Sybert
 Lindsay J. Hulley
 Attorneys for Plaintiff
 MATSUNOKI GROUP, INC. dba HAIKU HOUSES

Dated: March __, 2009

DONAHUE GALLAGHER WOODS LLP

By_____/s/_____
 John C. Kirke
 Andrew S. Mackay
 Jocelyn M Belloni
 Attorneys for Defendants
 DON PAUL and ILENE ENGLISH-PAUL

Dated: March __, 2009

LEWIS BRISBOIS BISGAARD & SMITH LLP

By_____/s/_____
 Julian J. Pardini
 Alan J. Haus
 Attorneys for Defendants
 TIMBERWORK, INC.(erroneously sued as
 "TIMBERWORK OREGON, INC."),
 JOAN L. SHUELL and EARL BLONDHEIM

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MEDIATOR'S CONCURRENCE

I concur in the above stipulation.

Dated: March __, 2009

/s/_____
Mark LeHocky
Mediator


ORDER

Based on the foregoing stipulation of the Parties and the Mediator's concurrence,
THE COURT HEREBY ORDERS AND DECREES that the mediation
scheduled in this action to take place on March 25, 2009, be and hereby is **CONTINUED**,
and, further,

THE COURT HEREBY ORDERS AND DECREES that the deadline for
the Parties to engage in mediation be and here is **EXTENDED** to May 29, 2009, or as soon
thereafter as the schedules of the Parties, their respective counsel, and the Mediator, will
allow.

IT IS SO ORDERED.

Dated: March 17, 2009



Claudia Wilken
United States District Judge
Northern District of California